

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Germick, et al.

Serial No.: 09/904,794

Filed: July 12, 2001

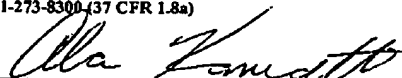
Title: FOOD PRODUCTS, ESPECIALLY
REFRIGERATED YOGURT
PRODUCTS, AND APPARATUS
AND METHODS FOR THEIR
PRODUCTION

Docket No.: 5468 (formerly 9649-108)

Confirmation No. 1785

Group Art Unit: 1761

Examiner: Steven Weinstein

RECEIVED
CENTRAL FAX CENTER
NOV 16 2005Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 2231-1450I CERTIFY THAT THIS PAPER IS BEING SENT VIA
FACSIMILE TRANSMISSION, ADDRESSED TO:
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450, ON NOVEMBER 16, 2005 TO FAX
NO.: 571-273-8300 (37 CFR 1.8a)**RESPONSE**

Dear Sir:

In response to the Office communication mailed August 16, 2005, the undersigned wishes to make the following comments:

REMARKS

It is respectfully requested that French et al. (6,284,294) utilized in the rejection of the claims be listed on Form PTO-892 so that consideration thereof is indicated on the face of the issued patent based upon the above application.

Although conduits 48 and 50 are shown in Crowder as angled, there is no disclosure that opposed inlet apertures 44 and 46 (or apertures 28 or openings 168) are angled. In particular and as suggested by Examiner Weinstein in the telephone interview on February 8, 2005, the first duct was recited in claim 21 as extending at an acute angle in the annular wall of the supply tube (and also terminating at the inner and outer surfaces of the annular wall). Thus, Crowder suffers from the same deficiency that the other collection of prior art utilized in the rejection suffers from.